

THE HONORABLE TIMOTHY W. DORE

UNITED STATES BANKRUPTCY COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

In re	)	
	)	
CARLETON ROGERS MILLER	)	BANKRUPTCY NO. 12-19029-TWD
MAGUS and KATJA VIOLET MAGUS,	)	
	)	
Debtors.	)	
<hr/>		
	)	
CARLETON ROGERS MILLER	)	
MAGUS and KATJA VIOLET MAGUS,	)	ADVERSARY NO. 12-01985-TWD
	)	
Plaintiffs,	)	
	)	ANSWER OF THE U.S. DEPARTMENT
v.	)	OF EDUCATION
	)	
UNITED STATES DOING BUSINESS AS	)	
U.S. DEPARTMENT OF EDUCATION,	)	
et al.,	)	
	)	
Defendants.	)	
<hr/>		

The United States Department of Education (“Defendant”), by and through its  
attorneys, Jenny A. Durkan, United States Attorney for the Western District of Washington,

1 and Christina Dimock, Assistant United States Attorney, hereby answers the Complaint to  
2 Determine Dischargeability of a Debt (Student Loans) ("Complaint") as follows:

3 I. PARTIES

4 1.1 - 1.2. Defendant admits the allegations in paragraphs 1.1 and 1.2 of the Complaint.

5 1.3 - 1.5. The allegations in paragraphs 1.3 - 1.5 of the Complaint consist of  
6 conclusions of law that require no response. To the extent a response is deemed required,  
7 Defendant denies same.

8 II. FACTS

9 2.1. Defendant admits that Plaintiff Katja Violet Magus, formerly known as Katja  
10 Caldwell, is indebted to Defendant and that, as of December 4, 2012, Plaintiff Katja Violet  
11 Magus owed Defendant \$23,898.05, including interest accrued as of that date. Defendant  
12 denies for lack of knowledge or information sufficient to form a belief as to the truth thereof  
13 the remaining allegations in paragraph 2.1 of the Complaint.

14 2.2. Defendant admits the allegations in paragraph 2.2 of the Complaint.

15 2.3. Defendant admits the allegations in paragraph 2.3 of the Complaint.

16 2.4. Defendant denies for lack of knowledge or information sufficient to form a belief  
17 as to the truth thereof the allegations in paragraph 2.4 of the Complaint.

18 2.5. Defendant denies the allegations in paragraph 2.5 of the Complaint.

19 III. THEORIES OF LIABILITY, DISCHARGE

20 3.1 - 3.3. The allegations in paragraphs 3.1 - 3.3 of the Complaint comprise a  
21 characterization of Plaintiffs' case that require no response. To the extent a response is  
22 deemed required, Defendant denies same.

1 To the extent Plaintiffs' prayer for relief requires an answer, Defendant denies that  
2 Plaintiffs are entitled to any of the relief they seek.

3 All allegations contained in the Complaint not specifically admitted above are hereby  
4 denied.

5 WHEREFORE, the United States Department of Education prays for relief as follows:

- 6 1. Dismissing the Complaint with prejudice.  
7 2. Awarding the United States its reasonable attorneys' fees and costs.  
8 3. Such other and further relief as the Court may deem just and proper.

9 DATED this 10th day of December, 2012.

10 JENNY A. DURKAN  
11 United States Attorney

12 /s/ Christina Dimock  
13 Christina Dimock, WSBA #40159  
14 Assistant United States Attorney  
15 United States Attorney's Office  
16 700 Stewart Street, Suite 5220  
17 Seattle, Washington 98101  
18 Phone: (206) 553-7970  
19 FAX: (206) 553-4067  
20 E-mail: [Christina.dimock@usdoj.gov](mailto:Christina.dimock@usdoj.gov)  
21  
22  
23

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3

It is further certified that on December 10, 2012, I electronically filed the United States Department of Education's Answer with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following CM/ECF participant(s):

Richard D. Granvold RDGRANVOLD@msn.com

Deutsche Bank ELT SLM Trusts  
11600 Sallie Mae Dr.  
c/o Deb Sutterland  
Reston, VA 20193

Education Resources Institute  
31 St. James #950  
Park Square Building  
Boston, MA 02116

UNITED STATES ATTORNEY  
700 Stewart Street, Suite 5220  
Seattle, WA 98101-1271  
(206) 553-7970

1 Northwest Education Loan Association  
190 Queen Anne Ave. N. #300  
2 Seattle, WA 98109

3 Sallie Mae Inc  
4 Attn: President  
P.O. Box 9500  
5 Wilkes Barre, PA 18773-9500

6 Wells Fargo ELT SLFA-WA Inc.  
625 Marquette Ave.  
7 MAC N9311-115  
8 Minneapolis, MN 55479

9 Dated this 10th day of December, 2012.

10 /s/ Laurie A. Gausta  
LAURIE A. GAUSTA, Paralegal Specialist  
11 United States Attorney's Office  
700 Stewart Street, Suite 5220  
12 Seattle, Washington 98101-1271  
Phone: (206) 553-7970  
13 Fax: (206) 553-4067  
E-mail: [laurie.gausta@usdoj.gov](mailto:laurie.gausta@usdoj.gov)  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23